

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

BARBARA R. KAPLAN,

Plaintiff,

v.

DAVIDSON & GRANNUM, LLP,
SANDRA D. GRANNUM & DAVID L.
BECKER

Defendant.

Case No.:

FILED

NOVEMBER 27, 2007

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

07 C 6668

JUDGE MAROVICH
MAGISTRATE JUDGE SCHENKIER

NOTICE OF REMOVAL OF CAUSE

To: Gregg M. Rzepczynski
Gregg M. Rzepczynski & Associates Ltd.
175 West Jackson Boulevard
Suite 1650
Chicago IL 60604

Defendants Davidson & Grannum, LLP, Sandra D. Grannum and David L. Becker (collectively "Grannum"), pursuant to 28 U.S.C. §1446 and the Local Rules of the United States District Court, Northern District of Illinois, notifies this Honorable Court that the above-entitled cause has been removed from the Circuit Court of Cook County, Illinois, Law Division, and in support of said notice states as follows:

1. The Summons and Complaint in this matter were served on Grannum on or about November 8, 2007. The Summons and Complaint are the only pleadings that have been received by Grannum. A true-and-accurate copy of the Summons and Complaint are attached hereto as **Exhibit "A."**

2. The Complaint, which seeks compensatory damages in excess of \$70,000,000 purports to state causes of action for legal malpractice, breach of contract, breach of fiduciary duty and breach of a specific New York State statute (New York State Judiciary Law Section

487). Grannum denies that it they are liable to Plaintiff for any of the relief sought in the Complaint.

3. The parties are of diverse citizenship. Plaintiff is a resident of Cook County, Illinois and a citizen of Illinois. Defendant Davidson & Grannum LLP is a limited liability partnership located in the States of New York and New Jersey and Defendants Sandra D. Grannum and David L. Becker are each citizens of the state of New York.

4. Plaintiff's Complaint specifies that she seeks in excess of \$75,000 in damages exclusive of interest and punitive damages.


5. This Court has original jurisdiction over this action under 28 U.S.C. §1332 and Plaintiff's Complaint is removable on its face. Defendant is, therefore, entitled to remove this action to this Court pursuant to 28 U.S.C. §§1331, 1332, and 1441. *See C.S. & V. Limited and J & C. Partnership v. W.E. Buehler Paper Co. d/b/a Bunzl-Cincinnati et al.*, 2002 U.S. Dist. LEXIS 19214 (S.D. Ind. Oct. 7, 2002) (Hamilton, J.).

6. In compliance with 28 U.S.C. §1446(b), this Notice of Removal is filed with this Court within thirty (30) days after receipt of a copy of the initial pleading setting forth the claim for relief upon which this action or proceeding is based and within thirty (30) days after service of summons.

WHEREFORE, Defendants Davidson & Grannum, LLP, Sandra D. Grannum and David L. Becker notifies the Court and all parties that this cause has been removed from the Circuit Court of Cook County, Illinois, Law Division, to the United States District Court for the Northern District of Illinois, Eastern Division, pursuant to the provisions of 28 U.S.C. §1446 and the Local Rules of the United States District Court for the Northern District of Illinois.

Respectfully submitted,

DAVIDSON & GRANNUM, LLP;
SANDRA D. GRANNUM AND
DAVID L. BECKER

By: 
One of their attorneys

Daniel E. Tranen
WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP
120 North LaSalle Street, Suite 2600
Chicago, IL 60602
Telephone: (312) 704-0550
Facsimile: (312) 704-1522

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that a true and correct copy of the above and foregoing pleading was served on:

Attorney for Plaintiff

Gregg M. Rzepczynski
Gregg M. Rzepczynski & Associates Ltd.
175 West Jackson Boulevard, Suite 1650
Chicago IL 60604

by: ☐ hand-delivery; ☐ facsimile; ☐ overnight mail, next day delivery; and/or ☒ depositing same in the US Mail at or before the hour of 5:00 p.m. this 27th day of November, 2007.

